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**FILED IN THE U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

JUL 10 2018

**SEAN F. MCAVOY, CLERK
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YAKIMA, WASHINGTON**

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL RODRIGUEZ-SANTOS,

Defendant.

1:18-CR-2042-SMJ

INDICTMENT

21 U.S.C. § 841(a)(1), (b)(1)(B)(viii)
Possession with Intent to Distribute 50
Grams or More of a Mixture or
Substance Containing
Methamphetamine
(Count 1)

18 U.S.C. § 924(c)(1)(A)
Possession of Firearm in Furtherance
of Drug Trafficking Crime
(Count 2)

18 U.S.C. §§ 922(g)(5), 924
Alien in Possession of a Firearm and
Ammunition
(Count 3)

21 U.S.C. §§ 853 & 924 and 28 U.S.C.
§ 2461
Notice of Criminal Forfeiture

The Grand Jury charges:

COUNT 1

On or about April 10, 2018, in the Eastern District of Washington, the
Defendant, DANIEL RODRIGUEZ-SANTOS, did knowingly and intentionally
possess with intent to distribute 50 grams or more of a mixture or substance

1 containing a detectable amount of methamphetamine, a Schedule II controlled
2 substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(B)(viii).

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COUNT 2

On or about April 10, 2018, in the Eastern District of Washington, the
Defendant, DANIEL RODRIGUEZ-SANTOS, knowingly possessed a firearm, to
wit: a Cobra Enterprises of Utah, Inc. pistol, model CA 380, .380 Auto caliber,
bearing serial number CP040451, in furtherance of a drug trafficking crime for
which he may be prosecuted in a court of the United States, to wit: possession with
intent to distribute methamphetamine; in violation of 21 U.S.C. § 841(a)(1); all in
violation of 18 U.S.C. § 924(c)(1)(A).

COUNT 3

On or about April 10, 2018, in the Eastern District of Washington, the
Defendant, DANIEL RODRIGUEZ-SANTOS, then being an alien illegally and
unlawfully in the United States, did knowingly possess in and affecting interstate
commerce a firearm and ammunition, to wit: a Cobra Enterprises of Utah, Inc.
pistol, model CA 380, .380 Auto caliber, bearing serial number CP040451, and 20
rounds of Dynamic Research Technologies, .380 Auto caliber ammunition bearing
headstamp "DRT 380 Auto"; which firearm and ammunition had been shipped and
transported in interstate and foreign commerce; all in violation of 18 U.S.C. §§
922(g)(5), 924.

NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS

The allegations contained in this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures.

Pursuant to 21 U.S.C. § 853, upon conviction of an offense in violation of 21 U.S.C. § 841(a)(1), as alleged in Count One of this Indictment, the Defendant, DANIEL RODRIGUEZ-SANTOS, shall forfeit to the United States of America, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense(s) and any property used or intended to be used, in any manner or part, to commit or to facilitate the commission of the offense(s), the property to be forfeited includes, but is not limited to:

- a Cobra Enterprises of Utah, Inc. pistol, model CA 380, .380 Auto caliber, bearing serial number CP040451, and
- 20 rounds of Dynamic Research Technologies, .380 Auto caliber ammunition bearing headstamp "DRT 380 Auto".

If any forfeitable property, as a result of any act or omission of the Defendant(s):

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

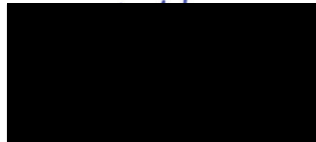
1 the United States of America shall be entitled to forfeiture of substitute property
2 pursuant to 21 U.S.C. § 853(p).

3 Pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), upon conviction
4 of an offense(s) in violation of 18 U.S.C. §§ 924(c) and 922(g), as alleged in
5 Counts Two and Three of this Indictment, the Defendant, DANIEL RODRIGUEZ-
6 SANTOS, shall forfeit to the United States of America, any firearms and
7 ammunition involved or used in the commission of the offense(s). The property to
8 be forfeited includes, but is not limited to:
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- 11 - a Cobra Enterprises of Utah, Inc. pistol, model CA 380, .380 Auto
12 caliber, bearing serial number CP040451, and
- 13 - 20 rounds of Dynamic Research Technologies, .380 Auto caliber
14 ammunition bearing headstamp "DRT 380 Auto".

15 DATED: July 10, 2018.

17 A TRUE BILL



20 Joseph H. Harrington
21 United States Attorney

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23 Thomas J. Hanlon
24 Supervisory Assistant United States Attorney

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26 Benjamin D. Seal
27 Assistant United States Attorney